

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number

09/593,184

Filing Date

6/13/2000

First Named Inventor

C.C. Byers

Group Art Unit

2666

Examiner Name

P.H. Tran

Total Number of Pages in This Submission

36

Attorney Docket Number

37-5-1-10-5

ENCLOSURES (check all that apply)

Fee Transmittal Form



Fee Attached



Amendment / Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Response to Missing Parts/Incomplete Application



Response to Missing Parts under 37 CFR 1.52 or 1.53



Assignment Papers (for an Application)



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a Provisional Application



Power of Attorney, Revocation Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



After Allowance Communication to Group



Appeal Communication to Board of Appeals and Interferences



Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify below):

Return Receipt Postcards(2)

Remarks

Page count includes triplicate versions of 11 pages.

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or
Individual name

Werner Ulrich Werner Ulrich

Signature

Werner Ulrich

Date

11/18/04

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Date

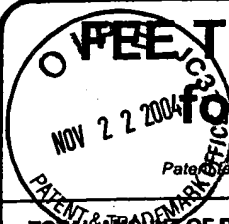
11/18/04

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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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 <p style="font-size: 24pt; font-weight: bold;">FEE TRANSMITTAL</p> <p style="font-size: 24pt; font-weight: bold;">for FY 2002</p> <p style="font-size: 10pt;">Patent fees are subject to annual revision.</p>	Complete if Known	
	Application Number	09/593,184
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	Examiner Name	P.H. Trach
Group Art Unit	2666	
Attorney Docket No.	37-5-1-10-5	
<p style="font-weight: bold;">TOTAL AMOUNT OF PAYMENT (\$)</p> <p style="font-size: 18pt; font-weight: bold;">340.⁰⁰</p>		

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																																																																																																		
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number </p> <p>Deposit Account Name </p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Fee Code</th> <th>Large Entity (\$)</th> <th>Small Entity (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>340</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td>340</td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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**for number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Werner Ulrich	Registration No. (Attorney/Agent)	30810
Signature	<i>Werner Ulrich</i>	Telephone	630 469 0487
		Date	11/18/04

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09/593,184

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventors: C. C. Byers et al.
Case: 37-5-1-10-5
Serial No.: 09/593,184
Filing Date: June 13, 2000
Group Art Unit: 2666
Examiner: P. H. Tran
Title: A Master Controller For A Flexible Switching System

COMMISSIONER FOR PATENTS

P.O. Box 1450

ALEXANDRIA, VA 22313-1450

Sir:

COVER LETTER FOR BRIEF

Enclosed please find in triplicate, an Appeal Brief for the above-identified Application. Also enclosed is a check for \$340.00 to cover the cost of filing the Appeal as set forth in 37 C.F.R. 1.17(f).

Respectfully submitted,

C. C. Byers et al.

By: Werner Ulrich
Werner Ulrich
Reg. No. 30810
(630) 469-0487

Date: Nov. 18, 2004

Werner Ulrich
434 Maple Street
Glen Ellyn, Illinois 60137

AE LHW

Ser. No. 09/593,184



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPELLANTS BRIEF UNDER 37 C.F.R. 1.192

This is an Appeal to the Board of Patent Appeals And Interferences from the Final Rejection dated July 15, 2004.

1. Was Notice of Appeal timely filed?

x A Notice of Appeal was timely filed.

2. Real Party in interest?

x The real party in interest is Lucent Technologies Inc.

3. Related Appeals or Interferences?

x There are no related Appeals or Interferences.

11/23/2004 YPOLITE1 00000023 09593184

01 FC:1402

340.00 OP

Status of Claims:

Claims 1-14, 17-19, and 22 stand finally rejected. Claims 15-16, 20-21, and 23 are allowed.

A copy of the Claims under Appeal as now presented is appended to this Brief in Appendix "A". For the convenience of the Examiners, the allowed claims 15-16, 20-21 and 23 are shown in Appendix "B".

Status of Amendments:

All amendments to the claims have been entered.

Summary of the Invention:

The invention as presently claimed teaches arrangements wherein a master controller and a plurality of feature servers cooperate to perform call processing functions. Both the master controller and the feature servers are connected to a core switching fabric for transmitting traffic channels and call control messages. The master controller receives call processing request messages and transmits the call processing request messages to a selected one of the feature servers. All processing request messages are processed by the feature servers.

Grouping of Claims:

Claim 1 is an independent apparatus claim; claims 2-14 are apparatus claims dependent from claim 1.

Claims 17 and 22 are independent method claims. Claims 18 and 19 are dependent method claims dependent from claim 17.

Issues:

Are claims 1-11, 13-14, 17-19, and 22 unpatentable over the teachings of U.S. Patent 6,628,646 (Angle) in view of U.S. Patent 5,434,852 (La Porta)?

Is claim 12 unpatentable over Angle in view of La Porta and further in view of U.S. Patent 6,026,151 (Bauer)?

Arguments:

In an Office Action dated July 15, 2004, the Examiner provided new arguments based in large part on an additional prior art reference (La Porta).

A key aspect of Applicants' invention is the use of a master controller to receive call processing request messages and transmit these messages to a selected one of a

plurality of feature servers. The call processing request messages are processed by the feature servers which generate call control messages to peripheral equipment (such as line or trunk control systems) to implement call control functions specified in call control messages. The master controller, the feature servers, and the peripheral equipment are interconnected by a core switching fabric.

The Examiner indicates that Angle teaches apparatus for performing call control functions in a packetized telecommunications switch including a core switching fabric and a master controller.

Applicants respectfully submit (and the Examiner has not specifically denied) that the master controller of Angle (fabric manager 110) is the controller of a message router not as in Applicants' case of a call processing system. As stated in the passage cited by the Examiner in a previous Office Action, the fabric manager 110

is coupled to each line card 105 and to the fabric 120. At the beginning of each scheduling cycle, through its interface with a line card 105, the fabric configuration manager 110 may receive information regarding the cells that are ready for transmission across fabric 120. Briefly, the fabric configuration manager 110 is responsible for determining a conflict free matching of ports each time slot, configuring the fabric 120 to form connections between the appropriate fabric interfaces 115, and communicating the scheduling decision to the fabric inputs 107.... [T]he novel fabric configuration manager 110 includes independent unicast and multicast schedulers that allow flexible scheduling, such as pipeline staging of multicast and unicast scheduling and programmable multicast scheduling frequency.

[Angle, column 4, lines 49-64]

Thus, Angle discloses a router, i.e., a switch for directly routing packets whose destination is already known, not, as in Applicants' case, apparatus or a method for performing call control functions.

The Examiner has apparently recognized the weakness of the argument for having Angle anticipate Applicants' invention by loading the anticipation of a very large number of functions of independent claim 1 onto La Porta. La Porta does teach a plurality of feature servers connected to a core switching fabric for performing call processing functions. However, Applicants respectfully submit that the master controller equivalent

in La Porta does not carry out the function of Applicants' fourth clause in which Applicants recite a

master controller for receiving call processing request messages and for transmitting call processing request messages to a selected one of said plurality of feature servers.

The passage cited by the Examiner in support of La Porta's anticipating this clause is the following:

To illustrate how call processing functions are performed for the establishment of a two party call, let us take the example of a user who initiates such a call and desires certain services with certain attributes to be provided for that call. The request message and underlying parameters for the desired services associated with that call are sent by the user as a service invocation to the call server 502.

In Fig. 5, block 502 indicates call servers each of which include call control function 503. The equivalent of the plurality of servers are the servers 518, 520, 522, 524, each of which include a service control function which presumably communicates with the call control function of the call servers. Thus, La Porta differs from Applicant by having a plurality of call servers, not, as in Applicants' claimed invention, a single master controller and in having a plurality of "feature servers" which do not process the call processing request messages (recited in Applicants' sixth clause of claim 1) but which operate in a cooperative way with the basic call server 502 that has been assigned to a particular call. Further, La Porta teaches that the call servers perform call processing and only call for a feature server if a particular function is not implemented in the call server; this is in contrast to Applicants' invention wherein all call processing request messages are processed by the feature servers, not by the master controller. Note that the implied assignment in La Porta of one of the plurality of call servers 502 (La Porta's "equivalent" of the master controller) is similar to the function performed by Applicants' master controller.

Thus, Angle fails to teach the essential aspect of Applicants' invention, namely, the use of one centralized master controller for assigning the processing of call request messages to one of a plurality of feature processors (claims 1, 15 and 22) and to maintain memory for all calls in the system (see claims 6, 13 and 22).

Accordingly, Applicants respectfully submit that their invention as recited in claims 1, 15 and 22 should be held allowable over the cited prior art. Claims 2-14 and 18-19 should be held allowable as being dependent from an allowable independent claim.

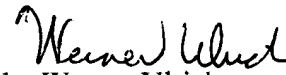
Claim 12 is dependent from claim 4 and should be held allowable for the same reasons as claim 4.

Conclusion:

In view of the foregoing, it is submitted that the Examiner is in error. It is accordingly respectfully requested that the rejection of claims 1-14, 17-19 and 22 be reversed. Applicants accordingly request that the application including these claims as well as claims 15-16, 20-21 and 23, previously allowed, be allowed and passed to issue.

Respectfully submitted

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Attached:
Appendix A - Rejected Claims 1-14, 17-19 and 22
Appendix B - Allowed Claims 15-16, 20-21 and 23

**APPENDIX A TO
Appellants Brief Under 37 C.F.R. 1.192
Claims for C. C. Byers et al. 37-5-1-10-5**

1. Apparatus for performing call control functions in a packetized telecommunications switch comprising:

a core switching fabric for transmitting traffic channels and call control messages from an input to an output;

a Master Controller connected to said core switching fabric;

a plurality of feature servers connected to said core switching fabric for performing call processing functions;

said Master Controller for receiving call processing request messages, and for transmitting call processing request messages to a selected one of said plurality of feature servers;

said feature servers for generating call control messages for transmission via said core switching fabric to peripheral equipment for implementing a call control function specified in a call control message;

wherein all call processing request messages are processed by said plurality of feature servers.

2. The apparatus of Claim 1, wherein said core switching fabric comprises a circuit switching fabric for establishing call traffic connections.

3. The apparatus of Claim 1, wherein said core switching fabric comprises a packet switching fabric for transmitting said call control messages.

4. The apparatus of Claim 3, wherein said plurality of feature servers comprises a plurality of different types of feature servers for processing different kinds of call processing request messages.

5. The apparatus of Claim 3, wherein said plurality of different types of feature servers comprises a plurality of at least one type of feature server.

6. The apparatus of Claim 3, wherein said Master Controller transmits call state information to said selected one feature server.

7. The apparatus of Claim 3, wherein said Master Controller comprises duplicated equipment.

8. The apparatus of Claim 7, wherein each of the duplicated equipments of said Master Controller comprises a plurality of processors.

9. The apparatus of Claim 3, wherein said Master Controller comprises duplicate equipments interconnected by update interface means for rapidly updating memory of one of said duplicated equipments from another of said duplicate equipments.

10. The apparatus of Claim 3, wherein said core switching fabric is connected to line access interface means.

11. The apparatus of Claim 4, wherein said core switching fabric is connected to trunk access interface means.

12. The apparatus of Claim 4, wherein said Master Controller performs the function of accumulating billing records.

13. The apparatus of Claim 4, wherein at least one of said types of feature servers retains no state information for a call after it has completed processing one of said call processing request messages.

14. The apparatus of Claim 13, wherein all call processing request messages for a feature server that retains no state information for a call are routed via said Master Controller.

17. A method of processing calls in a switching system comprising the steps of:
said switching system receiving a call processing request message;
said switching system routing said call processing request message to a Master Controller;

 said Master Controller receiving and retrieving call state information for the call and terminals of the call from its database;

 said Master Controller selecting one of a plurality of feature servers;

 said Master Controller sending call processing request messages, including call state data to the selected feature server via a core switching fabric of said switching system;

 said feature server performing call processing for said call; and

 said feature server sending database update and success messages for said call to said Master Controller;

wherein all call processing request messages are processed by one of said plurality of feature servers.

18. The method of Claim 17, further comprising the step of said selected feature server sending call control messages to appropriate network elements to implement call processing actions.

19. The method of Claim 18, wherein said selected feature server sends said call control messages over said core switching fabric.

22. A method of processing calls in a switching system comprising the steps of:
said switching system receiving a call processing request message;
said switching system routing said call processing request message to a Master Controller;

said Master Controller receiving and retrieving call state information for the call and terminals of the call from its database;

said Master Controller selecting one of a plurality of feature servers;

said Master Controller sending call processing request messages, including call state data to the selected feature server via a core switching fabric of said switching system;

said feature server performing call processing for said call; and

said feature server sending database update and success messages for said call to said Master Controller;

wherein a plurality of said plurality of feature servers are identical, and wherein said Master Controller selects one of the plurality of identical feature servers in such a manner as to provide load balancing among the plurality of identical feature servers.

**APPENDIX B TO
Appellants Brief Under 37 C.F.R. 1.192
Claims for C. C. Byers et al. 37-5-1-10-5**

15. Apparatus for performing call control functions in a packetized telecommunications switch comprising:

a core switching fabric for transmitting traffic channels and call control messages from an input to an output;

a Master Controller connected to said core switching fabric;

a plurality of feature servers connected to said core switching fabric for performing call processing functions;

said Master Controller for receiving call processing request messages, and for transmitting call processing request messages to a selected one of said plurality of feature servers;

said feature servers for generating call control messages for transmission via said core switching fabric to peripheral equipment for implementing a call control function specified in a call control message;

wherein said core switching fabric comprises a packet switching fabric for transmitting said call control messages;

wherein said plurality of feature servers comprises a plurality of different types of feature servers;

wherein at least one of said types of feature servers retains state information for a call after it has completed processing one of said call processing request messages.

16. The apparatus of Claim 15, wherein ones of said call processing messages destined for one of said feature servers which retain state information for a call are routed directly to that feature server, bypassing said master controller.

20. A method of processing calls in a switching system comprising the steps of:

said switching system receiving a call processing request message;

said switching system routing said call processing request message to a Master Controller;

said Master Controller receiving and retrieving call state information for the call and terminals of the call from its database;

said Master Controller selecting one of a plurality of feature servers;
said Master Controller sending call processing request messages, including call state data to the selected feature server via a core switching fabric of said switching system;
said feature server performing call processing for said call; and
said feature server sending database update and success messages for said call to said Master Controller;
wherein at least one feature server retains no state information for a call after it has completed processing one of said call processing request messages, further comprising the step of routing all call processing request messages for a feature server that retains no state information for a call via said Master Controller.

21. A method of processing calls in a switching system comprising the steps of:
said switching system receiving a call processing request message;
said switching system routing said call processing request message to a Master Controller;
said Master Controller receiving and retrieving call state information for the call and terminals of the call from its database;
said Master Controller selecting one of a plurality of feature servers;
said Master Controller sending call processing request messages, including call state data to the selected feature server via a core switching fabric of said switching system;
said feature server performing call processing for said call; and
said feature server sending database update and success messages for said call to said Master Controller;
wherein at least one of said feature servers retains state information for a call after it has completed processing one of said call processing request messages, further comprising the step of:
routing ones of said call processing messages destined for one of said feature servers which retain state information for a call directly to that feature server, bypassing said Master controller.

23. Apparatus for performing call control functions in a packetized telecommunications switch comprising:

- a core switching fabric for transmitting traffic channels and call control messages from an input to an output;

- a Master Controller connected to said core switching fabric;

- a plurality of feature servers connected to said core switching fabric for performing call processing functions;

- said Master Controller for receiving call processing request messages, and for transmitting call processing request messages to a selected one of said plurality of feature servers;

- said feature servers for generating call control messages for transmission via said core switching fabric to peripheral equipment for implementing a call control function specified in a call control message;

- wherein said core switching fabric comprises a packet switching fabric for transmitting said call control messages;

- wherein said plurality of feature servers comprises a plurality of different types of feature servers;

- wherein at least one feature server retains no static information for a call after it has completed processing one of said call processing messages; and

- wherein all call processing messages for said at least one feature server are routed via said master controller.